REMARKS

Claims 5-8 stand rejected under 35 U.S.C. § 102 as being anticipated by Garrett '873 ("Garrett"). Claims 5 and 7 are independent. This rejection is respectfully traversed for the following reasons.

Claim 5 recites in pertinent part, "a for-main-apparatus-body identifier production device that ***produces*** a main-apparatus-body identifier ***using an identifier of a network card having the lowest degree of demountability among the plurality of network cards stored in the degree-of-demountability storage device***" (emphasis added). Claim 7 recites a similar feature in method format.

The Examiner has maintained the rejection over Garrett based on a newly cited portion of Garrett (i.e., col. 1, line 40 – col. 2, line 60), which the Examiner has alleged discloses a method by which the "the host computer identifies each expansion device by the length or duration that the identification signal is negated." This interpretive description of Garrett is not disputed. However, the Examiner follows with the assertion that "these implies producing an identifier for a device." This assertion, on the other hand, is respectfully traversed.

The Examiner is effectively equating "identifying" an identifier with "producing" an identifier, which is technically improper for at least the following reasons. Garrett is merely directed to a method by which the identifier of the expansion devices are identified by the host computer using an identification signal. Regardless of the identification process, each of the expansion devices in Garrett has a pre-existing identifier. Garrett simply discloses a method by which to identify the pre-existing identifier.

In contrast, the present invention can ***produce*** an identifier, which is distinct from simply identifying a pre-existing identifier. As shown in Figure 3 of Applicants' drawings, one exemplary embodiment of the present invention can produce an identifier of, for example a CPU, by referencing identifiers of other network cards X and Y. Whereas, the disclosure of Garrett would at best provide a method by which to identify network cards X and Y. Garrett does not disclose or suggest using the identification of network cards X and Y to produce an identifier for the CPU, for example.

Furthermore, the identifier of the present invention can be produced by "using an identifier of a network card having the lowest degree of demountability among the plurality of network cards stored in the degree-of-demountability storage device" so as to add a "selectivity" parameter to producing the identifier. Garrett is completely silent as to the "degree of demountability" of the respective expansion devices; let alone suggest producing an identifier of the, for example host computer, using the identifier of an expansion device having the lowest degree of demountability.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Garrett does not anticipate claims 5 and 7, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.,*

819F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 5 and 7 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

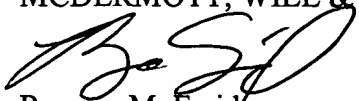
Based on all the foregoing, it is respectfully submitted that claims 5-8 are patentable over Garrett. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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